

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HORACE HILL Jr.,
10 Plaintiff,
11 v.
12 SCHMIDT, et al.,
13 Defendant.

CASE NO. 3:23-cv-05890-TL-BAT

**ORDER GRANTING
APPLICATION TO PROCEED IN
FORMA PAUPERIS AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS**

14 Plaintiff is a prisoner proceeding *pro se* in this civil rights action. The Court, having
15 reviewed plaintiff's application to proceed *in forma pauperis*, hereby finds and ORDERS as
16 follows:

17 (1) The Court GRANTS plaintiff's application to proceed *in forma pauperis*. Dkt. 1.

18 (2) Pursuant to 28 U.S.C. § 1915, and plaintiff's approved application to proceed *in*
19 *forma pauperis*, the agency having custody of the above-named plaintiff is directed to calculate
20 an initial partial filing fee equal to 20 percent of the greater of either: (a) the average monthly
21 deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account
22 for the 6-month period immediately preceding the date of this Order. The initial partial filing fee
23 should be forwarded to the Clerk of Court as soon as practicable.

Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having custody of the prisoner is directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's account to the \$10.00 level.

Please note that this \$10.00 limit does not apply to the initial partial filing fee described above.

Finally, the monthly payments should be collected and forwarded to the Court until the entire filing fee (\$350.00) for this matter has been paid.

(3) The Clerk is directed to send a copy of this Order to plaintiff, to the financial officer of this Court, and to the agency having custody of plaintiff.

DATED this 5th day of October, 2023.


BRIAN A. TSUCHIDA
United States Magistrate Judge